

FIRE ADMINISTRATION AUTHORIZATION ACT OF 1995

AUGUST 4, 1995.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WALKER, from the Committee on Science, submitted the following

R E P O R T

together with

THE TRANSCRIPT FROM THE LEGISLATIVE MARKUPS OF
THE SUBCOMMITTEE ON BASIC RESEARCH AND THE
SCIENCE COMMITTEE

[To accompany H.R. 1851]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, to whom was referred the bill (H.R. 1851) to authorize appropriations for carrying out the Federal Fire Prevention and Control Act of 1974 for fiscal years 1996 and 1997, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

I. AMENDMENTS

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fire Administration Authorization Act of 1995".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 17(g)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

- (1) by striking "and" at the end of subparagraph (E);
- (2) by striking the period at the end of subparagraph (F) and inserting in lieu thereof a semicolon; and
- (3) by adding at the end the following new subparagraphs:
 "(G) \$28,000,000 for the fiscal year ending September 30, 1996, which, notwithstanding subsection (h), includes any amounts appropriated under subsection (h) (3) and (4) for fiscal year 1996; and
 "(H) \$28,000,000 for the fiscal year ending September 30, 1997."

SEC. 3. FIRE SAFETY SYSTEMS IN ARMY HOUSING.

Section 31(c)(1)(A)(ii)(II) is amended by inserting ", or in the case of housing under the control of the Department of the Army, 6 years after such date of enactment" after "date of enactment".

SEC. 4. SUCCESSOR FIRE SAFETY STANDARDS.

The Federal Fire Prevention and Control Act of 1974 is amended—

- (1) in section 29(a)(1), by inserting ", or any successor standard thereto," after "Association Standard 74";
- (2) in section 29(a)(2), by inserting "or any successor standards thereto," after "whichever is appropriate,";
- (3) in section 29(b)(2), by inserting ", or any successor standards thereto" after "Association Standard 13 or 13-R";
- (4) in section 31(c)(2)(B)(i), by inserting "or any successor standard thereto," after "Life Safety Code), "; and
- (5) in section 31(c)(2)(B)(ii), by inserting "or any successor standard there-
to," after "Association Standard 101,".

SEC. 5. TERMINATION OR PRIVATIZATION OF FUNCTIONS.

The Administrator of the United States Fire Administration shall transmit to Congress a report providing notice at least 60 days in advance of the termination or transfer to a private sector entity of any significant function of the United States Fire Administration.

SEC. 6. REPORT ON BUDGETARY REDUCTION.

The Administrator of the United States Fire Administration shall transmit to Congress, within three months after the date of the enactment of this Act, a report setting forth the manner in which the United States Fire Administration intends to implement the budgetary reduction represented by the difference between the amount appropriated to the United States Fire Administration for fiscal year 1996 and the amount requested in the President's budget request for such fiscal year. Such report shall be prepared in consultation with the Alliance for Fire and Emergency Management, the International Association of Fire Chiefs, the International Association of Fire Fighters, the National Fire Protection Association, the National

Volunteer Fire Council, the National Association of State Fire Marshals, and the International Association of Arson Investigators.

II. PURPOSE OF THE BILL

The purpose of H.R. 1851 is to authorize appropriations for the activities of the United States Fire Administration (USFA) under the Federal Fire Prevention and Control Act of 1974. The bill authorizes appropriations in the amount of \$28,000,000 for fiscal year 1996 and \$28,000,000 for fiscal year 1997.

III. BACKGROUND AND NEED FOR THE LEGISLATION

In 1974 Congress enacted the Federal Fire Prevention and Control Act in response to a nationwide concern with loss of life and property from fires. The Act established the USFA in an effort to prevent and reduce this loss of life and property. The USFA coordinates the nation's fire safety and emergency medical service activities. The USFA works with state and local units of government to educate the public on fire prevention and control, collect and analyze data related to fire, promote the use of sprinkler systems in residential and commercial buildings, conduct research and development on fire suppression, promote firefighter health and safety, and coordinate with other federal agencies charged with emergency response activities.

The USFA also administers the National Fire Academy (NFA), which provides training to fire and emergency service personnel in fire protection and control activities.

H.R. 1851 was introduced by Representative Steve Schiff on June 15, 1995. It was referred to the House Committee on Science's Subcommittee on Basic Research. This legislation enables the USFA and NFA to continue to pursue these important activities, and to continue to minimize fire losses.

IV. SUMMARY OF HEARING

On March 16, 1995 the Subcommittee on Basic Research held an oversight hearing on the programs of the USFA under the Federal Fire Prevention and Control Act of 1974. Witnesses included Representative Steny Hoyer, Co-chairman, Congressional Fire Caucus; Carrye Brown, Administrator, USFA; Gary Tokle, Assistant Vice President, National Fire Protection Association; Francis McGarry, President, National Association of State Fire Marshals, Bill Jenaway, CIGNA Corporation; and Dan Shaw, Chief of the Placitis, New Mexico Fire Department. All of the witnesses testified to the success and importance of the United States Fire Administration.

V. COMMITTEE ACTIONS

On June 14, 1995, the Subcommittee on Basic Research convened to mark up the Chairman's Draft of the proposed bill. Mr. Schiff (R-NM) offered an amendment to update fire standards in the organic act. The amendment was adopted by voice vote. Mr. Weldon (R-PA) offered an amendment to require that the Administrator inform the Congress 60 days in advance of an effort to terminate or privatize any USFA activities.

This amendment was adopted by voice vote as well. Mr. Weldon offered a second amendment, also adopted by voice vote, to require that the Administrator provide the Congress with a detailed report, three months after enactment of this Act, on what, if any, programs will be reduced or eliminated in order to meet the appropriated levels. The Chairman's Draft, as amended, was reported by voice vote to the Full Committee for further consideration.

H.R. 1851, reflecting the recommendations in the Chairman's Draft as amended by the Subcommittee on Basic Research, was introduced by Mr. Schiff, for himself, Mr. Geren (D-TX), and Mr. Boehlert (R-NY).

FULL COMMITTEE MARKUP

On June 22, 1995, the Committee met to mark up H.R. 1851. A clarifying amendment was offered by Mr. Walker to change "Director" to "Administrator" in Section 5. The amendment was adopted by voice vote. A quorum being present, the bill was ordered reported, as amended, by the Committee by voice vote.

VI. SUMMARY OF MAJOR PROVISIONS OF THE BILL

The bill authorizes appropriations for the activities of the United States Fire Administration and the National Fire Academy for fiscal years 1996 and 1997.

The bill amends section 31 of the Federal Fire Prevention and Control Act. This section requires the installation of hard-wired smoke detectors in all multifamily housing owned or operated by the federal government by October 25, 1995. H.R. 1851 extends this deadline for three years for housing controlled by the Department of the Army.

H.R. 1851 requires the Administrator to inform the Congress 60 days prior to terminating or privatizing any USFA activities or programs.

Finally, the bill directs the Administrator to submit a detailed report, three months after enactment, on what, if any, programs will be reduced or eliminated in order to meet the final appropriations levels.

VII. SECTION-BY-SECTION ANALYSIS

Section 1, Short title

Cites the Act as the "Fire Administration Authorization Act of 1995."

Section 2, Authorization of appropriations

Authorizes a total of \$28,000,000 in each of fiscal years 1996 and 1997 for the programs and activities of the Federal Fire Prevention and Control Act of 1974. These programs and activities include public education on fire prevention and control; the collection and analysis of data relating to fire; research and development in fire suppression; the promotion of firefighter health and safety; and the administration of the National Fire Academy in Emmitsburg, Maryland.

States that funds appropriated under the Arson Prevention Act of 1994, PL 103-254, must come from within the amounts authorized by this section.

Section 3, Fire safety systems in Army housing

Section 31 (c)(1)(A) of the Federal Fire Prevention and Control Act of 1974 requires the installation of hard-wired smoke detectors in all multifamily housing owned or operated by the federal government. The Act requires that the conversion to hard-wired smoke detectors be completed by October 25, 1995. This section amends the 1992 Act to extend the deadline until October 25, 1998, for housing controlled by the Department of the Army.

Section 4, Successor fire safety standards

Amends section 29 of the Federal Fire Prevention and Control Act of 1974 to update National Fire Protection Standards which are no longer current or have been given new designations.

Section 5, termination or privatization of functions

Requires that the Administrator inform the Congress 60 days in advance of an effort to terminate or privatize any USFA activities or programs.

Section 6, Report on budgetary reduction

Requires that the Administrator provide Congress with a detailed report, three months after enactment of the Act, on what, if any, programs will be reduced or eliminated in order to meet the final appropriation levels.

VIII. COMMITTEE VIEWS

During the Basic Research Subcommittee's March 16, 1995 hearing on the United States Fire Administration's FY 1996 budget request, Administrator Brown testified that the USFA was in the process of privatizing the Harvard Fellowship Program and the Open Learning Program. While these are good training programs for the fire service, in these times of decreasing federal budgets, programs and activities that can be performed by the private sector should be privatized. The Committee supports and encourages these privatization efforts by the Administrator.

Also during the hearing, the Administrator was asked about the possibility of privatizing the residential sprinkler program. A Subcommittee Member asked specifically if the raw testing and product development could be taken over by a private entity. She responded that the sprinkler program would be examined with those questions in mind.

The Committee believes that one of the best fire protection technologies for the private home is a sprinkler system. However, the federal role in the residential sprinkler program should end once the technical matters are resolved. It becomes the job of the private sector to market sprinkler systems and state and local governments to establish and enforce building codes. The Committee strongly believes that establishing rules and regulations for the implementation of home sprinkler systems is a state or local responsibility.

H.R. 1851 directs that the USFA budget be reduced from the \$28.85 million request to \$28.0 million. The Committee directs that the funds be taken from programs like the residential sprinkler development program that can be privatized or managed at the state and local level.

ARMY HOUSING

Early in 1995, the Department of the Army met with Committee staff to update their status with the implementation of the Fire Administration Authorization Act of 1992, Public Law 102-522. This Act established a requirement to replace battery operated smoke detectors with hard-wired smoke detectors in all federally owned or controlled multi-family housing by October 25, 1995. The Army explained that they will have approximately 8,500 dwellings of over 96,000 that will not be in compliance by the deadline. They subsequently wrote Chairman requesting that an extension be granted until October 25, 1998 to fully comply with the law (letter attached).

The Army has assured the Committee that the additional time needed will not place military personnel and their families at risk. At the present time, all Army family housing dwelling units in the United States have at least one hard-wired smoke detector as well as battery operated smoke detectors on each floor.

The Committee appreciates the efforts of the Army to ensure that all family housing is safe for military personnel and their families, but urges the Army to work diligently to finish the installation of hard-wired smoke detectors as soon as possible.

JOINT TRAINING

The Oklahoma City bombing incident pointed out the importance of fire service management training that includes law enforcement and emergency technicians. The incident commander was the fire chief; and the law enforcement, emergency professionals and others reported to him. While every effort will be made to prevent additional bombings from occurring in the United States, large fires, explosions and natural disasters will require that same type of incident management. The Committee is aware that a limited amount of this incident command management training is currently available at USFA, and directs the USFA to increase joint training efforts in order to meet such challenges in the future. Moreover, the Committee urges the USFA to examine the possibility of decreasing funding for lower priority projects in order to accomplish this objective.

MERGING FEMA TRAINING

Throughout the United States, emergency and fire services are being combined under the management of the fire service. More often than not, this is done for reasons of economy and efficiency. Within the USFA there is the National Fire Academy (NFA), and separately and additionally within FEMA there exists a training division with emphasis on emergency management. The Committee understands that there is some coordination and cooperation between the two training divisions. However, as at the state and local

level, the American people are demanding a reduction in the size of government and elimination of redundancy. To that end, it makes sense to again study the possibility of combining these two training programs.

The Committee directs the USFA to prepare a report on combining the fire and emergency management programs. The report should contain the strengths and weaknesses of each policy option presented. The report is to be presented to Congress along with the USFA's fiscal year 1997 budget request.

FIRE SERVICE TRAINING

The USFA has an outstanding record of training managers in the fire service community. This is a Congressionally mandated role for the USFA and should be conducted so as to not duplicate or overlap with the training of state and local governments or the private sector. However, if fire budgets of state or local governments are reduced, it is especially important that the USFA training reach all levels of the urban and rural fire service community. In order to accomplish this task, the Committee urges the USFA to develop more distance learning technologies that would reach fire stations nationwide. The Committee urges the USFA to direct more management training at the mid-level fire chief, which is lacking throughout the United States.

IX. PROGRAM CRITERIA

The Committee states that the activities authorized by this Act are to be consistent with the six criteria listed below.

1. Federal R&D should be focused on long-term, non-commercial research and development, with potential for great scientific discovery, leaving economic feasibility and commercialization to the marketplace.
2. Federal funding of R&D on specific processes and technologies should not be carried out beyond demonstration of technical feasibility, requiring significant additional investment for production.
3. Revolutionary new ideas and pioneering capabilities that make possible the "impossible" (that which has never been done before) should be pursued.
4. The Federal government should avoid funding research in areas that are receiving, or should be reasonably expected to obtain, funding from the private sector such as evolutionary advances or incremental improvements.
5. Government-owned laboratories should confine their in-house research to areas in which their technical expertise and facilities have no peer and should contract out other research to industry, private research foundations, and universities.
6. All R&D programs should be relevant and tightly focused to the agency's stated mission; those that are not should be terminated. All research programs should disseminate the results of the programs to potential users.

X. CONGRESSIONAL BUDGET OFFICE ANALYSIS AND COST ESTIMATES

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 11, 1995.

Hon. ROBERT S. WALKER,
*Chairman, Committee on Science,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1851, the Fire Administration Authorization Act of 1995.

Enacting H.R. 1851 would not affect direct spending or receipts. Therefore, pay-as-you go procedures would not apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JUNE E. O'NEILL.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: H.R. 1851.
2. Bill title: Fire Administration Authorization Act of 1995.
3. Bill status: As ordered reported by the House Committee on Science on June 28, 1995.
4. Bill purpose: H.R. 1851 would authorize appropriations of \$28 million each year for fiscal years 1996 and 1997 to carry out activities under the Federal Fire Prevention and Control Act of 1974 by the Fire Administration. The bill also would require the Administrator of the Fire Administration to issue two reports to the Congress. In addition, the bill would allow updated fire safety standards to be employed under the 1974 Act.
5. Estimated cost to the Federal Government: The following table summarizes the estimated costs of this bill. The table assumes that the full amount authorized would be appropriated. Outlays are based on historical spending patterns of the emergency management planning and assistance activities of the Federal Emergency Management Agency.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
Spending Under Current Law:						
Budget authority ¹	34.1					
Estimated outlays	32.8	12.5	4.4	1.0		
Proposed Changes:						
Authorization level		28.0	28.0			
Estimated outlays		17.3	24.3	9.9	3.7	0.8
Spending Under H.R. 1851:						
Authorization level ¹	34.1	28.0	28.0			
Estimated outlays	32.8	29.8	28.7	10.9	3.7	0.8

¹ The 1995 level is the amount actually appropriated for that year.

The costs of this bill fall within budget function 450.

6. Pay-as-you-go considerations: None.

7. Estimated cost to State and local governments: None.

8. Estimate comparison: None.

9. Previous CBO estimate: None.

10. Estimate prepared by: Rachel Robertson.

11. Estimate approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

XI. EFFECT OF LEGISLATION ON INFLATION

In accordance with rule XI, clause 2(1)(4) of the Rules of the House of Representatives, this legislation is assumed to have no inflationary effect on prices and costs in the operation of the national economy.

XII. OVERSIGHT FINDINGS AND RECOMMENDATIONS

Clause 2(1)(3)(A) of rule XI requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

XIII. OVERSIGHT FINDINGS AND RECOMMENDATIONS BY THE COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

Clause 2(1)(3)(D) of rule XI requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform and Oversight Committee pursuant to clause 4(c)(2) of rule X, whenever such findings have been timely submitted. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform and Oversight.

XIV. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

* * * * *

AUTHORIZATION OF APPROPRIATIONS

SEC. 17. (a) * * *

* * * * *

(g)(1) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there are authorized to be appropriated to carry out the purposes of this Act—

(A) * * *

* * * * *

(E) \$26,521,000 for the fiscal year ending September 30, 1993; [and]

(F) \$27,529,000 for the fiscal year ending September 30, 1994[.];

(G) \$28,000,000 for the fiscal year ending September 30, 1996, which, notwithstanding subsection (h), includes any

amounts appropriated under subsection (h) (3) and (4) for fiscal year 1996; and
(H) \$28,000,000 for the fiscal year ending September 30, 1997.

* * * * *

FIRE PREVENTION AND CONTROL GUIDELINES FOR PLACES OF PUBLIC ACCOMMODATION

SEC. 29. (a) CONTENTS OF GUIDELINES.—The guidelines referred to in sections 28 and 30 consist of—

(1) a requirement that hard-wired, single-station smoke detectors be installed in accordance with National Fire Protection Association Standard 74, *or any successor standard thereto*, in each guest room in each place of public accommodation affecting commerce; and

(2) a requirement that an automatic sprinkler system be installed in accordance with National Fire Protection Association Standard 13 or 13-R, whichever is appropriate, *or any successor standards thereto*, in each place of public accommodation affecting commerce except those places that are 3 stories or lower.

(b) EXCEPTIONS.—(1) * * *

(2) The requirement described in subsection (a)(2) shall not apply to a place of public accommodation affecting commerce to the extent that such place of public accommodation affecting commerce is subject to a standard that includes a requirement or prohibition that prevents compliance with a provision of National Fire Protection Association Standard 13 or 13-R, *or any successor standards thereto*. In such a case, the place of public accommodation affecting commerce is exempt only from that specific provision.

* * * * *

SEC. 31. FIRE SAFETY SYSTEMS IN FEDERALLY ASSISTED BUILDINGS.

(a) * * *

* * * * *

(c) HOUSING.—(1)(A) Except as otherwise provided in this paragraph, no Federal funds may be used for the construction, purchase, lease, or operation by the Federal Government of housing in the United States for Federal employees or their dependents unless—

(i) * * *

(ii) in the case of any other housing, the housing, before—

(I) occupancy by the first Federal employees (or their dependents) who do not occupy such housing as of such date of enactment; or

(II) the expiration of 3 years after such date of enactment, *or in the case of housing under the control of the Department of the Army, 6 years after such date of enactment*, whichever occurs first, is protected by hard-wired smoke detectors.

* * * * *

(2)(A) * * *

(B)(i) Except as provided in clause (ii), housing assistance may not be used in connection with any rebuilt multifamily property, unless after the rebuilding the multifamily property complies with the chapter on existing apartment buildings of National Fire Protection Association Standard 101 (known as the Life Safety Code), *or any successor standard thereto*, as in effect at the earlier of (I) the time of any approval by the Department of Housing and Urban Development of the specific plan or budget for rebuilding, or (II) the time that a binding commitment is made to provide housing assistance for the rebuilt property.

(ii) If any rebuilt multifamily property is subject to, and in compliance with, any provision of a State or local fire safety standard or code that prevents compliance with a specific provision of National Fire Protection Association Standard 101, *or any successor standard thereto*, the requirement under clause (i) shall not apply with respect to such specific provision.

* * * * *

XV. COMMITTEE RECOMMENDATIONS

On June 22, 1995, a quorum being present, the Committee on Science favorably reported H.R. 1851, the Fire Administration Authorization Act of 1996, as amended by a voice vote and recommends its enactment.

XVI. REPORTS TO CONGRESS

The Administrator shall transmit to the Committee on Science of the House of Representatives and the Committee on Commerce Senate a report detailing what, if any, programs or activities will be reduced or eliminated in order to meet the USFA's final appropriations levels.

XVII. LETTER FROM DEPUTY ASSISTANT SECRETARY OF THE ARMY

DEPARTMENT OF THE ARMY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, DC, May 17, 1995.

Hon. ROBERT S. WALKER,
*Chairman, Committee on Science,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The purpose of this letter is to provide the Army's status with the implementation of the Fire Administration Authorization Act of 1992, Public Law 102-522. This Act established the requirement to replace battery operated smoke detectors with hard-wired smoke detectors in multi-family housing. The conversion to hard-wired smoke detectors must be completed by October 25, 1995.

Our best estimate is that the Army will have approximately 8,500 dwelling units out of a total of 96,722 dwelling units within the United States not in compliance with the law by the end of fiscal year 1995. As discussed with the committee staff last year and recently, the time constraint of the law does not allow proper planning, programming, and execution of projects associated with the

installation of hard-wired smoke detectors in Army family housing. The requirement to install hard-wired smoke detectors during change of occupancy is not always the most cost effective method to contract for this type of work. It is very often better to do work in all units as a single project. We still need the requested relief previously discussed with the committee staff.

At the present time, all Army family housing dwelling units in the United States have at least one hard-wired smoke detector. Our goal is to provide safe and adequate housing for the soldiers and their families.

Sincerely,

PAUL W. JOHNSON,
Deputy Assistant Secretary of the Army,
(Installations and Housing) OASA (IL&E).

XVIII. PROCEEDINGS FROM SUBCOMMITTEE MARKUP

**SUBCOMMITTEE MARKUP—H.R. 1851, THE
FIRE ADMINISTRATION AUTHORIZATION
ACT OF 1996 AND 1997**

WEDNESDAY, JUNE 14, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
SUBCOMMITTEE ON BASIC RESEARCH,
Washington, D.C.

Mr. SCHIFF. The Subcommittee is reconvened.

The Chair welcomes you all back. It is now in order for the Subcommittee to proceed to the United States Fire Administration Authorization Act. The Chair would request order. We are reconvening so that we can conclude the business here today. Thank you.

It is now in order for the Subcommittee to proceed to the United States Fire Administration Authorization Act. The United States Fire Administration has a small budget compared to the National Science Foundation and most of the other budget authorizations to be considered by this Committee.

The Chair would ask those individuals in the room who desire to conduct conversations to kindly do so outside of the room. We are resuming on a markup. Thank you.

The United States Fire Administration is a small budget compared to the National Science Foundation and most of the other budget authorizations to be considered by this Committee, nonetheless it performs a vital function for our country, one that helps to save lives and protect property.

Mr. GEREN. Mr. Chairman, the Committee room still isn't in order. I would ask that you—it is very distracting as people move around.

Mr. SCHIFF. The gentleman is correct. The Chair would ask people who wish to remain to resume their seats, and people who desire to leave to please leave so that we can further conduct the Subcommittee business.

The Chair thanks the gentleman from Texas.

The United States Fire Administration, working with state and local governments, endeavors to educate the public on fire risk, prevention, and control; conducts research into fire suppression and the promotion of fire fighter health and safety; and collects and analyzes data related to fire and arson.

In addition, the United States Fire Administration administers the National Fire Academy in Emmitsburg, Maryland. The Fire Academy provides training to fire and emergency service personnel in the latest fire protection and control activities.

In Fiscal Year 1994 the Fire Administration provided on and off campus instruction to approximately 10,000 students. Because of the efforts of both the United States Fire Administration and the Fire Academy, the number of fire-related deaths has decreased in

this country from nearly 12,000 annually in 1973, the year the Fire Administration was created, to approximately 5,000 today.

These figures are encouraging, but we still have far to go. That is why we are considering this important legislation.

The Subcommittee Print is a two-year authorization. While the authorization for 1996 is a decrease of about 3 percent from the Administration's request, we have preserved all of the functions and activities performed by the United States Fire Administration and the National Fire Academy. For Fiscal Year 1997, we hold the authorization constant at \$28 million.

These figures are consistent with the assumptions contained in the House Budget Resolution for these programs.

I believe that the United States Fire Administration can recover this decrease through the privatization of its residential sprinkler program.

During our hearing on this legislation, we heard the Administrator, Ms. Carrye Brown, say that she believed that the United States Fire Administration's residential sprinkler program might be a good candidate for privatization. This particular program can and should be privatized.

[The prepared statement of Mr. Schiff follows:]

HONORABLE STEVE SCHIFF
OPENING STATEMENT--USFA AUTHORIZATION ACT
BASIC RESEARCH SUBCOMMITTEE
JUNE 14, 1995

IT IS NOW IN ORDER FOR THE SUBCOMMITTEE TO PROCEED TO THE U.S. FIRE ADMINISTRATION AUTHORIZATION ACT. THE USFA HAS A SMALL BUDGET COMPARED TO THE NATIONAL SCIENCE FOUNDATION AND MOST OF THE OTHER BUDGET AUTHORIZATIONS TO BE CONSIDERED BY THIS COMMITTEE. NONETHELESS IT PERFORMS A VITAL FUNCTION FOR OUR COUNTRY, ONE THAT HELPS TO SAVE LIVES AND PROTECT PROPERTY.

THE USFA, WORKING WITH STATE AND LOCAL GOVERNMENTS, ENDEAVORS TO EDUCATE THE PUBLIC ON FIRE RISK, PREVENTION, AND CONTROL; CONDUCTS RESEARCH INTO FIRE SUPPRESSION AND THE PROMOTION OF FIREFIGHTER HEALTH AND SAFETY; AND COLLECTS AND ANALYZES DATA RELATED TO FIRE AND ARSON. IN ADDITION, THE USFA ADMINISTERS THE

NATIONAL FIRE ACADEMY IN EMMITSBURG, MD. THE NFA PROVIDES TRAINING TO FIRE AND EMERGENCY SERVICE PERSONNEL IN THE LATEST FIRE PROTECTION AND CONTROL ACTIVITIES. IN FY 1994, THE NFA PROVIDED ON AND OFF-CAMPUS INSTRUCTION TO APPROXIMATELY 10,000 STUDENTS.

BECAUSE OF THE EFFORTS OF BOTH THE USFA AND THE NFA, THE NUMBER OF FIRE-RELATED DEATHS HAS DECREASED IN THIS COUNTRY FROM NEARLY 12,000 ANNUALLY IN 1973 -- THE YEAR THE USFA WAS CREATED -- TO APPROXIMATELY 5,000 TODAY. THESE FIGURES ARE ENCOURAGING, BUT WE STILL HAVE FAR TO GO, AND THAT IS WHY WE ARE CONSIDERING THIS IMPORTANT LEGISLATION.

THE SUBCOMMITTEE PRINT IS A TWO YEAR AUTHORIZATION. WHILE THE AUTHORIZATION FOR 1996 IS A DECREASE OF ABOUT THREE PERCENT FROM THE ADMINISTRATION'S REQUEST, WE HAVE PRESERVED ALL OF THE FUNCTIONS AND ACTIVITIES PERFORMED BY THE USFA AND THE NATIONAL FIRE ACADEMY (NFA). FOR FY 1997, WE HOLD THE AUTHORIZATION CONSTANT AT \$28 MILLION. THESE FIGURES ARE CONSISTENT WITH THE ASSUMPTIONS CONTAINED IN THE HOUSE BUDGET RESOLUTION.

FOR THESE PROGRAMS.

I BELIEVE THAT THE USFA CAN RECOVER THIS DECREASE THROUGH THE PRIVATIZATION OF ITS RESIDENTIAL SPRINKLER PROGRAM. DURING OUR HEARING ON THIS LEGISLATION WE HEARD THE ADMINISTRATOR, CARRYE BROWN, SAY THAT SHE BELIEVED THAT THE USFA'S RESIDENTIAL SPRINKLER PROGRAM MIGHT BE A GOOD CANDIDATE FOR PRIVATIZATION. THIS PARTICULAR PROGRAM CAN AND SHOULD BE PRIVATIZED.

I WOULD NOW LIKE TO RECOGNIZE THE RANKING MINORITY MEMBER, MR. GEREN, FOR HIS OPENING STATEMENT.

[RECOGNIZE MR. WALKER]

[RECOGNIZE MR. BROWM]

[RECOGNIZE OTHER MEMBERS OF THE SUBCOMMITTEE FOR
OPENING STATEMENTS]

Mr. SCHIFF. I would now again, with thanks for his cooperation, recognize the Ranking Member of this Subcommittee, Mr. Geren. Mr. GEREN. Thank you, Mr. Chairman.

The Federal Fire Prevention and Control Act of 1974 is aimed at a serious problem affecting the safety of all Americans. Much progress has been made during the past 20 years in public education in fire safety and improvement in the effectiveness of fire services and home fire safety devices, nevertheless the United States still has one of the highest fire death rates among advanced nations.

The need for effective training, research, and public education efforts that the U.S. Fire Administration continues in the bill before the Subcommittee provides funding for these important programs at a level very close to the President's request.

The history of funding for the U.S. Fire Administration has been far from lavish. The landmark report, *"America Burning"*, which was the genesis of the 1974 Act, recommended an initial annual budget for the Fire Administration of \$124 million. Appropriation levels have never exceeded \$38 million, and the inflation-adjusted value of the Fiscal Year 1975 authorization is only slightly less than the Fiscal Year 1996 request of \$29 million.

Despite limited resources, the Fire Administration has succeeded in developing effective programs as highlighted in the Subcommittee's hearings last March.

Clearly we now see serious downward budget pressures on all Federal agencies and activities. In light of the current budget climate, I congratulate the Chairman for bringing a bill before the Subcommittee that will sustain the important programs of the Fire Administration.

This agency has always enjoyed bipartisan support on the Science Committee because of its vital mission to improve the safety of all of our citizens.

I am pleased to join the Chairman in urging our colleagues to support this measure, and would like to briefly note and recognize the efforts of my colleague from Pennsylvania, Mr. Weldon, for the leadership he has shown on this issue during his career in Congress.

Thank you, Mr. Chairman. I would join you in urging my colleagues to support this bill.

[The prepared statement of Mr. Geren follows:]

OPENING STATEMENT

**MARKUP OF
THE U.S. FIRE ADMINISTRATION AUTHORIZATION BILL
BY
THE HONORABLE PETE GEREN (D-TX)
RANKING DEMOCRATIC MEMBER
SUBCOMMITTEE ON BASIC RESEARCH**

June 14, 1995

THE FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974 IS AIMED AT A SERIOUS PROBLEM AFFECTING THE SAFETY OF ALL AMERICANS. MUCH PROGRESS HAS BEEN MADE DURING THE PAST 20 YEARS IN PUBLIC EDUCATION IN FIRE SAFETY, IMPROVEMENT IN THE EFFECTIVENESS OF FIRE SERVICES, AND HOME FIRE SAFETY DEVICES. NEVERTHELESS, THE UNITED STATES STILL HAS ONE OF THE HIGHEST FIRE DEATH RATES AMONG ADVANCED NATIONS. THE NEED FOR EFFECTIVE TRAINING, RESEARCH AND PUBLIC EDUCATION EFFORTS AT THE U.S. FIRE ADMINISTRATION CONTINUES, AND THE BILL BEFORE THE SUBCOMMITTEE PROVIDES FUNDING FOR THESE IMPORTANT PROGRAMS AT A LEVEL VERY CLOSE TO THE PRESIDENT'S REQUEST.

THE HISTORY OF FUNDING FOR THE U.S. FIRE ADMINISTRATION HAS BEEN FAR FROM LAVISH. THE LANDMARK REPORT, *AMERICA BURNING*, WHICH WAS THE GENESIS OF THE 1974 ACT, RECOMMENDED AN INITIAL ANNUAL BUDGET

FOR THE FIRE ADMINISTRATION OF \$124 MILLION. APPROPRIATION LEVELS HAVE NEVER EXCEEDED \$38 MILLION, AND THE INFLATION-ADJUSTED VALUE OF THE FISCAL YEAR 1975 AUTHORIZATION IS ONLY SLIGHTLY LESS THAN THE FISCAL YEAR 1996 REQUEST OF \$29 MILLION. DESPITE LIMITED RESOURCES, THE FIRE ADMINISTRATION HAS SUCCEEDED IN DEVELOPING EFFECTIVE PROGRAMS, AS HIGHLIGHTED IN THE SUBCOMMITTEE'S HEARING LAST MARCH.

CLEARLY WE NOW SEE SERIOUS DOWNWARD BUDGET PRESSURES ON ALL FEDERAL AGENCIES AND ACTIVITIES. IN LIGHT OF THE CURRENT BUDGET CLIMATE, I CONGRATULATE THE CHAIRMAN FOR BRINGING A BILL BEFORE THE SUBCOMMITTEE THAT WILL SUSTAIN THE IMPORTANT PROGRAMS OF THE FIRE ADMINISTRATION. THIS AGENCY HAS ALWAYS ENJOYED BIPARTISAN SUPPORT ON THE SCIENCE COMMITTEE BECAUSE OF ITS VITAL MISSION TO IMPROVE THE SAFETY OF ALL OUR CITIZENS. I AM PLEASED TO JOIN THE CHAIRMAN IN URGING MY COLLEAGUES TO SUPPORT THIS MEASURE.

Mr. SCHIFF. Thank you very much, Mr. Geren.

Chairman Walker, do you desire to be recognized at this time?

Chairman WALKER. Good job, Mr. Chairman.

Mr. SCHIFF. I am always glad to hear that.

Does any other Member desire to be recognized for an opening statement at this time?

[No response.]

Mr. SCHIFF. Seeing no requests, I now ask unanimous consent to call up the Committee Print of the United States Fire Administration Authorization Act to be used in lieu of a bill for markup purposes.

[No response.]

Mr. SCHIFF. Without objection it is so ordered.

The Clerk will designate the bill.

Mr. CADENA. "A Bill to Authorize appropriations for carrying out the Federal Fire Prevention and Control Act of 1974 for Fiscal Years 1996 and 1997".

Mr. SCHIFF. I ask unanimous consent that the balance of the bill be considered as read. Is there any objection?

[No response.]

Mr. SCHIFF. Without objection, it is so ordered and the bill is open to amendment at any time.

The first amendment is a technical amendment to be offered by the Chair. I believe it is in your packet.

This technical amendment is being presented here at this Subcommittee markup at the request of FEMA's Acting General Counsel, which I am offering.

It simply makes a technical change to the Federal Fire Prevention and Control Act of 1974 as amended. These corrections are needed to update the National Fire Protection Association standards identified in the Organic Act which are no longer current or have been given new designations.

I believe that the Minority has been consulted on this amendment and has no objection to it.

I now recognize Mr. Geren.

Mr. GEREN. Mr. Chairman, I have no objection and I urge my colleagues to support the Schiff amendment.

Mr. SCHIFF. Is there any further discussion of this amendment?

[No response.]

Mr. SCHIFF. Seeing none, I call for a vote. All in favor of the amendment as offered by the Chair please signify by saying aye.

[Chorus of ayes.]

Mr. SCHIFF. Opposed, no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the amendment is adopted.

Mr. Weldon, I believe, is recognized for the next amendment.

Mr. WELDON [Pa]. Mr. Chairman, I have two amendments here. I'll make this brief.

I think they are fairly noncontroversial, but to start out let me say that it is kind of ironic that this week we are doing the National Security bill, of which I am a major proponent and supporter of and will be involved in for the rest of the week, which will authorize \$267 billion to provide for the support of our international

defenders, those men and women who protect this country from conflict around the world.

Today we are marking up the authorization of our domestic defense—

Mr. SCHIFF. Would the gentleman yield for a moment?

Mr. WELDON [Pa]. I'd be happy to yield.

Mr. SCHIFF. Is the gentleman attempting to offer these two amendments en bloc? Because I would prefer—

Mr. WELDON [Pa]. If that is—no, I can offer them separately.

Mr. SCHIFF. I would prefer the gentleman offer them separately because I have a question about one.

Mr. WELDON [Pa]. That's fine. I understand.

Mr. SCHIFF. If the gentleman would designate which he is talking about.

Mr. WELDON [Pa]. This is the first one you have listed, which would be—I don't have a number on it—it would be the 60-day report on termination of privatization of functions.

Mr. SCHIFF. I believe that is No. 2 in the package.

Mr. WELDON [Pa]. I believe it is.

Mr. SCHIFF. The Clerk will designate the amendment.

Mr. CADENA. Amendment offered by Mr. Weldon of Pennsylvania, page 2.

Mr. SCHIFF. Mr. Weldon, do you have a unanimous consent request here?

Mr. WELDON [Pa]. I have a unanimous consent to consider the amendment as read.

Mr. SCHIFF. Thank you.

[No response.]

Mr. SCHIFF. Without objection, so ordered.

Mr. Weldon is recognized for five minutes on your amendment.

Mr. WELDON [Pa]. As I was saying, Mr. Chairman, this issue that we are dealing with today provides for the only Federal support for the 1.5 million men and women who protect our country from every possible disaster. These are largely volunteers, 85 percent of them; across the country in every Congressional District large and small, urban area, rural area is protected by an emergency response group.

Our total budget authorization for these people in our support is 1 percent of what we are currently authorizing on the Floor of the House for our military.

It is a modest request, to say the least. It is a reduction, as you mentioned, from this current year's appropriation. I believe this year it was \$34.1 million; the Administration request was \$28.85 million; and our budget, your Mark is \$28 million.

The Director of the U.S. Fire Administration, Carrye Brown, has said she can take an \$800,000 cut. As a fiscal conservative I applaud her for that action, but I would like to see us have in writing a report that would detail for us what she plans to privatize.

The reason I offer this amendment is that there are some rumors in the Fire Service community that there may be an attempt to privatize other functions than the one you mentioned that would benefit individuals. If that is going to happen, I want to have a chance to have input into that because that would be a parochial concern that would take the functions of the current Fire Administration

and have us transfer those to the extent that one, or perhaps a small group of individuals would benefit.

I am not talking about the residential sprinkler program that you mentioned, but I am concerned that we have a report to that extent.

This amendment simply has the Director provide that report to the Committee. I think it is fairly noncontroversial and will give us 60 days to respond to her initiative in terms of privatization.

Mr. SCHIFF. The Chair thanks the gentleman and notes the gentleman's leadership in fire protection support here in the Congress. In fact, the gentleman I believe is the founder and original chair of the Congressional Fire Caucus, which I joined, and I participate in regular designation of awards in my District which the gentleman signs.

To be very honest about it, I got into this program at the gentleman's suggestion and with his leadership.

Mr. WELDON [Pa]. Thank you.

Mr. SCHIFF. I believe that the amendment is noncontroversial. I think it is well taken. I urge Members to support it.

Does any other Member desire recognition on Mr. Weldon's amendment?

[No response.]

Mr. SCHIFF. Seeing no requests for recognition, the vote now occurs on the amendment as designated.

All in favor will please say aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed, no.

[No response.]

Mr. SCHIFF. The ayes appear to have it. The ayes have it; the amendment is adopted.

The gentleman is recognized for five minutes on his second amendment, but before doing so the Clerk will designate the second amendment.

Mr. CADENA. Amendment offered by Mr. Weldon of Pennsylvania. Page 2, after line 22—

Mr. SCHIFF. The Chair will ask for unanimous consent that the second amendment be considered as read.

[No response.]

Mr. SCHIFF. Without objection so ordered.

Mr. Weldon is recognized for five minutes.

Mr. WELDON [Pa]. Mr. Chairman, again this looks at the proposed budget cuts within the Fire Administration.

To make sure that there is consistency and support in terms of where these cuts are going to be made, since this is a very small budget, this amendment would have the Fire Administration formally interact with the seven major groups that represent the 1.5 million men and women who serve across the country in fire and EMS activities.

This includes the National Volunteer Fire Council, the professional—the paid fire fighters, the chiefs, and all the other various organizations that are in every one of our Congressional Districts.

It does not give them veto power over a decision, but simply says that the Director of the Fire Administration should consult with them.

A second part of the amendment says that if the Director does not consult with them, then we should take 50 percent of the budgetary reduction from her account.

Now I understand the Chairman has a problem with that, and I understand that the counsel to the Subcommittee has a problem with that because it is basically trying to fence what amounts to a cut. So therefore if that be a problem, what I am trying to do here is to send a signal.

The signal to the Fire Administration is that if you are going to make cuts, you consult with those people that are going to be impacted by your cuts directly. Therefore, if it be the desire of the Chairman, I would withdraw, with unanimous consent, the administrative expense section, section [b] of this amendment, if that would pass with the approval of the counsel of the Subcommittee, but still make my point that I think we as a Subcommittee and Full Committee have to hold the Director of the Fire Administration accountable for where these cuts are going to occur.

Mr. SCHIFF. If the gentleman would yield for a moment?

Mr. WELDON [Pa]. I'd be happy to yield.

Mr. SCHIFF. I do accept the gentleman's offer of a unanimous consent motion to withdraw section [b], and I want to point out that I do so primarily because I have also been advised by counsel that there is a questionable legality in a self-supporting de-authorization that might spring up into place during the appropriations process.

However, the gentleman's point I think has been made very forcefully, and I am sure that anyone here who represents the United States Fire Academy will bring that message back to their administration.

Therefore, I ask if there is any objection to the gentleman's unanimous consent to strike section [b] from his amendment.

[No response.]

Mr. SCHIFF. Without objection, it is so ordered. The gentleman continues to be recognized.

I want to say, I do support the balance of the gentleman's amendment.

Mr. WELDON [Pa]. I just thank the Chairman, and would ask all of us—if we are not familiar on this Subcommittee with the role of the United States Fire Administration and how it impacts your folks locally back home—please take the time to look. Because every one of the constituents in your district, and those volunteer fire and EMS and ambulance groups benefit from the programs provided through this very small amount of Federal money, and it is a very meager amount.

I also in closing want to applaud Mr. Schiff and Mr. Geren who have been long-standing supporters of the Fire Service. Mr. Walker, who during the very difficult times when Republican Administrations were not supportive of this effort, who took a leadership role with Mr. Brown in making sure that we did have funding in place. I want to applaud all of you for your past leadership and urge our Subcommittee Members to support the passage of this authorization and the amendment.

Mr. SCHIFF. I thank the gentleman for his presentation.

Does any other Member desire to be recognized on this amendment?

[No response.]

Mr. SCHIFF. Seeing no requests for recognition, the vote now occurs on the amendment as amended by unanimous consent.

All in favor of the amendment, please signify by voting aye.

[Chorus of ayes.]

Mr. SCHIFF. All opposed, please say no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it and the amendment is adopted.

Are there any other amendments to be offered to the National Fire Administration Authorization Act?

Mr. LUTHER. Mr. Chairman?

Mr. SCHIFF. The gentleman is recognized.

Mr. LUTHER. Yes, Mr. Chairman, the question I had is with respect to Section 3, if someone could explain the reason for the delay on the smoke detectors in Section 3.

Mr. SCHIFF. I wonder if staff might be able to respond? Mrs. Dietz?

Mrs. DIETZ. Yes. The Subcommittee staff sat down with the Army earlier this year. They said they were making a great deal of progress toward coming into compliance with a requirement in the 1992 authorization which stipulates that all multi-family housing have installed hard-wired smoke detectors on every floor.

Now they have assured us that they have a hard-wired smoke detector in every unit, but will not be able to put one on every floor until—for another three years. But they also have assured us that they have battery-operated smoke detectors as backups.

Mr. SCHIFF. Does that respond to the gentleman's question?

Mr. LUTHER. I thank the gentleman.

Mr. SCHIFF. I want to say that the staff has looked into this and believes that the Army is in good faith, and that is why the change was made.

Mr. GEREN. Mr. Chairman?

Mr. SCHIFF. Mr. Geren.

Mr. GEREN. Mr. Chairman, if I can add briefly, the staff of Majority and Minority has addressed this issue and it's something that has been thoroughly reviewed and both sides are very comfortable with it.

Thanks.

Mr. SCHIFF. Are there any other amendments or questions to be raised?

[No response.]

Mr. SCHIFF. The Chair notes the presence of a reporting quorum, and the Chair will take just one minute before going to a final vote to first thank the staff of both parties for their work in putting together these two markups which I think went very well with their assistance.

Second, the Chair would like to sincerely thank the Members. I think what we demonstrated in these two markups is that Members can have their differences and we can discuss them and proceed to a vote without either getting rancorous or beating an issue to death. I think that is how legislation should proceed.

With that stated, the question is now on the adoption of the Committee Print as amended. All those in favor will vote aye.

[Chorus of ayes.]

Mr. SCHIFF. All those opposed, no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the Committee Print is adopted.

Mr. Geren is now recognized for a motion.

Mr. GEREN. Mr. Chairman, I move that a clean bill be prepared by the Chairman for introduction in the House and further consideration by the Committee.

Mr. SCHIFF. The vote occurs on the gentleman's motion. All in favor, say aye.

[Chorus of ayes.]

Mr. SCHIFF. Opposed, no.

[No response.]

Mr. SCHIFF. In the opinion of the Chair the ayes have it. The ayes have it, and the gentleman's motion is adopted.

With that, that completes this authorization. I want to thank everyone again, and this Subcommittee meeting is adjourned.

[Whereupon, at 11:15 a.m., the meeting of the Subcommittee was adjourned.]

[The subcommittee print follows:]

SUBCOMMITTEE PRINT

JUNE 9, 1995

104TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. SCHIFF introduced the following bill; which was referred to the Committee
on _____

A BILL

To authorize appropriations for carrying out the Federal
Fire Prevention and Control Act of 1974 for fiscal years
1996 and 1997.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Fire Administration
5 Authorization Act of 1995".

1 SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

2 Section 17(g)(1) of the Federal Fire Prevention and
3 Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

4 (1) by striking “and” at the end of subpara-
5 graph (E);

6 (2) by striking the period at the end of sub-
7 paragraph (F) and inserting in lieu thereof a semi-
8 colon; and

9 (3) by adding at the end the following new sub-
10 paragraphs:

11 “(G) \$28,000,000 for the fiscal year ending
12 September 30, 1996, which, notwithstanding sub-
13 section (h), includes any amounts appropriated
14 under subsection (h)(3) and (4) for fiscal year 1996;
15 and

16 “(H) \$28,000,000 for the fiscal year ending
17 September 30, 1997.”.

18 SEC. 3. FIRE SAFETY SYSTEMS IN ARMY HOUSING.

19 Section 31(c)(1)(A)(ii)(II) is amended by inserting “,
20 or in the case of housing under the control of the Depart-
21 ment of the Army, 6 years after such date of enactment”
22 after “date of enactment”.

SECTIONAL ANALYSIS

THE FIRE ADMINISTRATION AUTHORIZATION ACT OF 1995

Section 1. Short Title

Cites the Act as the "Fire Administration Authorization Act of 1995."

Section 2. Authorization of Appropriations

Authorizes a total of \$28,000,000, in each of fiscal years 1996 and 1997, for the programs and activities of the Federal Fire Prevention and Control Act of 1974. These programs and activities include public education on fire prevention and control; the collection and analysis of data relating to fire; research and development in fire suppression; the promotion of firefighter health and safety; and the administration of the National Fire Academy in Emmitsburg Maryland.

States that funds appropriated under the Arson Prevention Act of 1994, PL 103-254 must come from within these authorized sums.

Section 3. Changes to the Federal Fire Prevention and Control Act of 1974

Section 31 (c) (1) (A) of the Federal Fire Prevention and Control Act of 1974 requires the installation of hard-wired smoke detectors in all multifamily housing owned or operated by the federal government. The Act requires that the conversion to hard-wired smoke detectors be completed by October 25, 1995. This section amends the 1992 Act to extend the deadline until October 25, 1998, for housing controlled by the Department of the Army.

USFA BUDGET PROPOSALS (\$ millions)					
USFA including NFA	Appro. FY 95	Request FY 96	Schiff's FY96 Auth. Proposal	Schiff's FY96 Auth. Proposal Compared to FY 96 Request	Schiff's FY97 Auth. Proposal
Total	\$34.10	\$28.85*	\$28.00	-3*	\$28.00

*FY 1996 request reflects a decrease of \$5.2 million, of which \$4.3 million is due to the completion of the 5-year facility renovation project at the educational training facility at Keenleyside, MD and \$1 million is due to elimination of one-time Congressional increases in 1995 for a demonstration project to field test fire suppression agents and the construction of a Hazardous Materials Training Facility in Vermont.

COMMITTEE ON SCIENCE
SUBCOMMITTEE ON BASIC RESEARCH

SUBCOMMITTEE MARKUP - JUNE 14, 1995

AMENDMENT ROSTER

H.R. _____, UNITED STATES FIRE ADMINISTRATION AUTHORIZATION ACT
OF 1996 & 1997

- Motion to report Subcommittee print as amended - Adopted by voice vote
-- Motion to introduce clean bill - Adopted by voice vote

No.	Sponsor	Description	Results
1.	Mr. Schiff	Technical Amendment to make current outdated fire standards.	Adopted by voice vote
2.	Mr. Weldon (PA)	Amendment to insert new section on privatization.	Adopted by voice vote
3.	Mr. Weldon (PA)	Amendment to insert new section requiring a report on USFA budget reduction. *unanimous consent by Mr. Schiff to strike sec.b.	Adopted by voice vote (as amended)

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. SCHIFF

Page 2, after line 22, insert the following new section:

1 SEC. 4. SUCCESSOR FIRE SAFETY STANDARDS.

2 The Federal Fire Prevention and Control Act of 1974
3 is amended—

4 (1) in section 29(a)(1), by inserting “, or any
5 successor standard thereto,” after “Association
6 Standard 74”;

7 (2) in section 29(a)(2), by inserting “or any
8 successor standards thereto,” after “whichever is ap-
9 propriate,”;

10 (3) in section 29(b)(2), by inserting “, or any
11 successor standards thereto” after “Association
12 Standard 13 or 13-R”;

13 (4) in section 31(c)(2)(B)(i), by inserting “or
14 any successor standard thereto,” after “Life Safety
15 Code), ”; and

16 (5) in section 31(c)(2)(B)(ii), by inserting “or
17 any successor standard thereto,” after “Association
18 Standard 101,”.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 2, after line 22, insert the following new section:

- 1 SEC. 4. TERMINATION OR PRIVATIZATION OF FUNCTIONS.
- 2 The Director of the United States Fire Administra-
- 3 tion shall transmit to Congress a report providing notice
- 4 at least 60 days in advance of the termination or transfer
- 5 to a private sector entity of any significant function of
- 6 the United States Fire Administration.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 2, after line 22, insert the following new section:

1 SEC. 4. REPORT ON BUDGETARY REDUCTION.

2 (a) REQUIREMENT.—The Director of the United
3 States Fire Administration shall transmit to Congress,
4 within three months after the date of the enactment of
5 this Act, a report setting forth the manner in which the
6 United States Fire Administration intends to implement
7 the budgetary reduction represented by the difference be-
8 tween the amount appropriated to the United States Fire
9 Administration for fiscal year 1996 and the amount re-
10 quested in the President's budget request for such fiscal
11 year. Such report shall be prepared in consultation with
12 the Alliance for Fire and Emergency Management, the
13 International Association of Fire Chiefs, the International
14 Association Fire Fighters, the National Fire Protection
15 Association, the National Volunteer Fire Council, the Na-
16 tional Association of State Fire Marshals, and the Inter-
17 national Association of Arson Investigators.

XIX. PROCEEDING FROM FULL COMMITTEE MARKUP

**FULL COMMITTEE MARKUP—H.R. 1851, THE
FIRE ADMINISTRATION AUTHORIZATION
ACT OF 1996 AND 1997**

WEDNESDAY, JUNE 28, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, D.C.

The Committee met at 12:10 p.m. in Room 2318 of the Rayburn House Office Building, the Honorable Robert S. Walker, Chairman of the Committee, presiding.

The CHAIRMAN. Good afternoon.

We will now consider H.R. 1851, the U.S. Fire Administration Act. I ask unanimous consent that the bill be considered as read and open for amendment at any point. I ask members to proceed with amendments in the order of the roster when we get to the amendment process. But first I would recognize the gentleman from New Mexico.

Mr. SCHIFF. Thank you, Mr. Chairman.

First, I want to say I have a brief written statement. I'd ask unanimous consent that it be made a part of the record.

The CHAIRMAN. Without objection.

[The prepared statement of Mr. Schiff follows:]

**HONORABLE STEVE SCHIFF
OPENING STATEMENT - USFA AUTHORIZATION ACT OF 1995
FULL COMMITTEE MARK-UP
JUNE 22, 1995**

THANK YOU MR. CHAIRMAN.

THE UNITED STATES FIRE ADMINISTRATION AND THE NATIONAL FIRE ACADEMY PERFORM A VITAL FUNCTION FOR OUR COUNTRY, ONE THAT SAVES LIVES AND PROPERTY. THE AUTHORIZATION WE HAVE BEFORE US TODAY IS A GOOD BILL WHICH PROVIDES A LEVEL OF FUNDING APPROPRIATE TO ENABLE THE USFA TO ACCOMPLISH ITS IMPORTANT MISSION.

MR. CHAIRMAN, THE SUBCOMMITTEE ON BASIC RESEARCH COMPLETED CONSIDERATION OF A TWO-YEAR REAUTHORIZATION FOR THE USFA ON JUNE 14, 1995. WHILE THE AUTHORIZATION LEVEL FOR 1996 IS A DECREASE OF ABOUT THREE PERCENT FROM THE ADMINISTRATION'S REQUEST, WE HAVE PRESERVED ALL OF THE FUNCTIONS AND ACTIVITIES PERFORMED BY THE USFA AND THE NATIONAL FIRE ACADEMY. FOR FY 1997, WE HOLD THE AUTHORIZATION CONSTANT.

THE SUBCOMMITTEE ADOPTED THREE AMENDMENTS TO THE BILL. THEY INCLUDE: A TECHNICAL AMENDMENT TO UPDATE FIRE STANDARDS IN THE ORGANIC ACT; AN AMENDMENT TO REQUIRE THAT THE ADMINISTRATOR INFORM THE CONGRESS 60 DAYS IN ADVANCE OF AN EFFORT TO PRIVATIZE ANY USFA ACTIVITIES; AND AN AMENDMENT TO REQUIRE THAT THE ADMINISTRATOR PROVIDE THE CONGRESS WITH A DETAILED REPORT, THREE MONTHS AFTER ENACTMENT OF THIS ACT, ON WHAT, IF ANY PROGRAMS WILL BE REDUCED OR ELIMINATED IN ORDER TO MEET THE FINAL APPROPRIATIONS LEVELS.

MR. CHAIRMAN, I BELIEVE THAT THIS LEGISLATION IS AN APPROPRIATE BALANCE OF OUR FISCAL PROBLEMS AND OUR NEED TO PROVIDE ADEQUATE FUNDING FOR THE ACTIVITIES OF THE USFA.

THANK YOU MR. CHAIRMAN.

Mr. SCHIFF. I want to say briefly, the U.S. Fire Administration is considered by the Subcommittee to be an excellent organization. Once again, that does not mean that there aren't potential problems that the Subcommittee needs to look at through oversight. But we do recognize its excellent performance, and especially through its support of the United States Fire Academy.

The Subcommittee again recognizes that there is some budget reduction, but believes we did as we possibly could for this agency in view of the present budgetary constraints.

I want to again just thank Mr. Geren and the members of his party on the Subcommittee for their cooperation in the markup. I yield back.

The CHAIRMAN. Mr. Geren.

Mr. GEREN. Mr. Chairman, I have a statement. I would like to ask unanimous consent to put it in the record.

[The prepared statement of Mr. Geren follows:]

OPENING STATEMENT

**MARKUP OF H.R. 1851,
THE FIRE ADMINISTRATION AUTHORIZATION ACT OF 1995
BY
THE HONORABLE PETE GEREN (D-TX)
RANKING DEMOCRATIC MEMBER
SUBCOMMITTEE ON BASIC RESEARCH**

June 28, 1995

THE U.S. FIRE ADMINISTRATION HAS ALWAYS ENJOYED BIPARTISAN SUPPORT ON THE SCIENCE COMMITTEE BECAUSE OF ITS VITAL MISSION TO IMPROVE THE SAFETY OF ALL OUR CITIZENS. THE AGENCY SUPPORTS TRAINING, RESEARCH AND PUBLIC EDUCATION EFFORTS WHICH HAVE ADVANCED PUBLIC EDUCATION IN FIRE SAFETY, AND HAVE IMPROVED THE EFFECTIVENESS OF FIRE SERVICES AND HOME FIRE SAFETY DEVICES. MUCH HAS BEEN ACCOMPLISHED, BUT THE RECORD OF FIRE DEATH RATES AND PROPERTY LOSS IN THE NATION REVEALS THAT MUCH REMAINS TO BE DONE.

THE BILL AS REPORTED BY THE BASIC RESEARCH SUBCOMMITTEE PROVIDES FUNDING FOR THE IMPORTANT PROGRAMS OF THE U.S. FIRE ADMINISTRATION AT A LEVEL VERY CLOSE TO THE PRESIDENT'S REQUEST. THIS IS A SIGNIFICANT ACCOMPLISHMENT BECAUSE OF THE SEVERE DOWNWARD BUDGET PRESSURES ON ALL FEDERAL AGENCIES AND ACTIVITIES. IN LIGHT OF THE CURRENT BUDGET CLIMATE, I CONGRATULATE THE CHAIRMAN OF THE

BASIC RESEARCH SUBCOMMITTEE FOR HIS SUCCESSFUL EFFORTS TO DEVELOP A
BILL THAT WILL SUSTAIN THE IMPORTANT PROGRAMS OF THE FIRE
ADMINISTRATION.

I AM PLEASED TO JOIN MR. SCHIFF IN URGING MY COLLEAGUES TO
APPROVE THIS MEASURE AND REPORT IT TO THE HOUSE.

Mr. GEREN. I'd just like to say briefly, I thank the Chairman for the consideration he showed our side, and I want to commend the staff for their excellent work on this bill. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you, Mr. Geren.

The Chair also has a statement he will submit for the record.

[The prepared statement of Mr. Walker follows:]

HONORABLE BOB WALKER
TALKING POINTS – UNITED STATES FIRE ADMINISTRATION

I am calling up H.R. 1851, the United States Fire Administration Act of 1995.

The United States Fire Administration (USFA) was established twenty-one years ago to coordinate the nation's fire safety and emergency medical service activities. The USFA focuses on educating the public on fire risk prevention and control, collecting and analyzing fire related data, conducting research into fire suppression, and promoting firefighter health and safety.

In addition, the USFA administers the National Fire Academy (NFA) in Emmitsburg, MD. The NFA provides training to fire and emergency service personnel in the latest fire protection and control activities. In FY 1994, the NFA provided on and off-campus instruction to approximately 10,000 students.

I want to thank the Subcommittee Chairman, Mr. Schiff, and the Ranking Member, Mr. Geren for their hard work in bringing this bill before the Committee.

H.R. 1851 authorizes a total of \$28 million in each of fiscal years 1996 and 1997 for programs administered by the USFA and the NFA. This represents a reduction of \$850,000 from the Administration's FY 1996 request. This slight reduction reflects the Committee's commitment to helping to eliminate the budget deficit without jeopardizing the important functions performed by the USFA and the NFA.

The CHAIRMAN. But wants to thank Mr. Schiff and Mr. Geren for their hard work in bringing the bill before the Committee. I would ask unanimous consent that my remarks be made a part of the record. Without objection.

Mr. Brown.

Mr. BROWN. Mr. Chairman, I concur with the remarks you've made, as well as the Chair and the ranking member of the Subcommittee. I think we have a reasonably good bill, and I ask unanimous consent to insert my remarks in the record at this point.

The CHAIRMAN. Without objection.

[The prepared statement of Mr. Brown follows.]

OPENING STATEMENT

**MARKUP OF H.R. 1851, THE FIRE ADMINISTRATION
AUTHORIZATION ACT OF 1995**

BY

**THE HONORABLE GEORGE E. BROWN, JR. (D-CA)
RANKING DEMOCRATIC MEMBER
COMMITTEE ON SCIENCE**

June 28, 1995

THE U.S. FIRE ADMINISTRATION IS ONE OF THE SMALL
FEDERAL AGENCIES WITH A DISPROPORTIONATE IMPACT. ITS
PROGRAMS MAKE A DIFFERENCE BY HELPING TO IMPROVE THE
SKILLS OF FIRE FIGHTERS AND OTHER EMERGENCY WORKERS IN
ALL PARTS OF THE NATION, BY IMPROVING THE TOOLS AVAILABLE
TO DETECT AND SUBDUE FIRES, AND BY RAISING PUBLIC
AWARENESS OF FIRE PREVENTION MEASURES.

I AM PLEASED THAT THE BASIC RESEARCH SUBCOMMITTEE
HAS REPORTED A BILL WHICH AUTHORIZES FUNDING FOR THE FIRE
ADMINISTRATION AT A LEVEL VERY NEAR THE PRESIDENT'S
REQUEST. I BELIEVE THE FIRE ADMINISTRATION WILL BE ABLE TO
ACCOMPLISH ITS MISSION GOALS WITHIN THIS BUDGET.

I CONGRATULATE THE SUBCOMMITTEE CHAIRMAN, MR.
SCHIFF, AND THE RANKING DEMOCRATIC MEMBER, MR. GEREN,
FOR THEIR EFFORTS TO DEVELOP THIS BILL, AND URGE MY
COLLEAGUES TO SUPPORT PASSAGE OF THE MEASURE.

The CHAIRMAN. The only amendment we have on the roster is an amendment of mine, which is a technical correction to the Subcommittee mark. The head of the U.S. Fire Administration is properly and legally referred to as "administrator," not "director." Is there discussion on the amendment?

[No response.]

The CHAIRMAN. The amendment is in the package. If not, the Chair would ask for a vote on the amendment. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it.

Are there further amendments?

[No response.]

The CHAIRMAN. Hearing none, the question is on the bill H.R. 1851, the U.S. Fire Administration Act. All those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

Mr. SCHIFF? Oh, Mr. Brown's going to move it.

Mr. BROWN. Mr. Brown would like to make up for his sins and move at least one bill this evening.

Mr. Chairman, I move the Committee report the bill H.R. 1851 as amended. Further, I move to instruct the staff to prepare the legislative report, to make technical and conforming amendments, and that the Chair take all necessary steps to bring the bill before the House for consideration.

The CHAIRMAN. Would the gentleman like three days?

Mr. BROWN. And I would like to have three days for supplemental and minority or additional views.

The CHAIRMAN. The Committee has heard the motion. Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it. The motion is agreed to.

Without objection, the motion to reconsider is laid upon the table. Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman. I am pleased to continue with my unbroken string of successful amendments.

[Laughter.]

Mr. EHLERS. I move that under clause 1, Rule 20 of the rules of the House of Representatives, that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on the bill H.R. 1851 or a similar Senate bill.

Mr. BOEHLERT. Reserving the right to object——

[Laughter.]

The CHAIRMAN. The Chair didn't hear that.

Mr. ROEMER. Mr. Chairman, parliamentary inquiry. Is this three days to submit our written comments?

The CHAIRMAN. Mr. Brown has already taken care of you.

Mr. ROEMER. Is that from Wednesday or Thursday, since we're into a two-day markup?

[Laughter.]

Mr. ROEMER. Just kidding, Mr. Chairman.

The CHAIRMAN. You are going to have plenty of time, I think. You might even have lots of time yet tonight.

[Laughter.]

The CHAIRMAN. The question is on the motion by Mr. Ehlers. Those in favor say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it.

This concludes our markup on the measure H.R. 1851, the U.S. Fire Administration Act. The Committee is adjourned.

[Whereupon, at 12:10 a.m., the markup on the above-entitled matter was adjourned.]

[The bill H.R. 1851, plus the Amendment Roster follow:]

104TH CONGRESS
1ST SESSION

H. R. 1851

To authorize appropriations for carrying out the Federal Fire Prevention and Control Act of 1974 for fiscal years 1996 and 1997.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1995

Mr. SCHIFF (for himself, Mr. PETE GEREN of Texas, and Mr. BOEHLERT) introduced the following bill; which was referred to the Committee on Science

A BILL

To authorize appropriations for carrying out the Federal Fire Prevention and Control Act of 1974 for fiscal years 1996 and 1997.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Fire Administration
5 Authorization Act of 1995".

6 SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

7 Section 17(g)(1) of the Federal Fire Prevention and
8 Control Act of 1974 (15 U.S.C. 2216(g)(1)) is amended—

9 (1) by striking "and" at the end of subpara-
10 graph (E);

1 (2) by striking the period at the end of sub-
2 paragraph (F) and inserting in lieu thereof a semi-
3 colon; and

4 (3) by adding at the end the following new sub-
5 paragraphs:

6 “(G) \$28,000,000 for the fiscal year ending
7 September 30, 1996, which, notwithstanding sub-
8 section (h), includes any amounts appropriated
9 under subsection (h) (3) and (4) for fiscal year
10 1996; and

11 “(H) \$28,000,000 for the fiscal year ending
12 September 30, 1997.”.

13 **SEC. 3. FIRE SAFETY SYSTEMS IN ARMY HOUSING.**

14 Section 31(c)(1)(A)(ii)(II) is amended by inserting “,
15 or in the case of housing under the control of the Depart-
16 ment of the Army, 6 years after such date of enactment”
17 after “date of enactment”.

18 **SEC. 4. SUCCESSOR FIRE SAFETY STANDARDS.**

19 The Federal Fire Prevention and Control Act of 1974
20 is amended—

21 (1) in section 29(a)(1), by inserting “, or any
22 successor standard thereto,” after “Association
23 Standard 74”;

1 (2) in section 29(a)(2), by inserting "or any
2 successor standards thereto," after "whichever is ap-
3 propriate,";

4 (3) in section 29(b)(2), by inserting ", or any
5 successor standards thereto" after "Association
6 Standard 13 or 13-R";

7 (4) in section 31(e)(2)(B)(i), by inserting "or
8 any successor standard thereto," after "Life Safety
9 Code), "; and

10 (5) in section 31(e)(2)(B)(ii), by inserting "or
11 any successor standard thereto," after "Association
12 Standard 101,".

13 **SEC. 5. TERMINATION OR PRIVATIZATION OF FUNCTIONS.**

14 The Director of the United States Fire Administra-
15 tion shall transmit to Congress a report providing notice
16 at least 60 days in advance of the termination or transfer
17 to a private sector entity of any significant function of
18 the United States Fire Administration.

19 **SEC. 6. REPORT ON BUDGETARY REDUCTION.**

20 The Director of the United States Fire Administra-
21 tion shall transmit to Congress, within three months after
22 the date of the enactment of this Act, a report setting
23 forth the manner in which the United States Fire Admin-
24 istration intends to implement the budgetary reduction
25 represented by the difference between the amount appro-

1 priated to the United States Fire Administration for fiscal
2 year 1996 and the amount requested in the President's
3 budget request for such fiscal year. Such report shall be
4 prepared in consultation with the Alliance for Fire and
5 Emergency Management, the International Association of
6 Fire Chiefs, the International Association of Fire Fight-
7 ers, the National Fire Protection Association, the National
8 Volunteer Fire Council, the National Association of State
9 Fire Marshals, and the International Association of Arson
10 Investigators.

COMMITTEE ON SCIENCE**FULL COMMITTEE MARKUP: JUNE 28, 1995****AMENDMENT ROSTER****H.R. 1851, the Fire Administration Authorization Act of 1995****--Motion to adopt the bill, as amended: Adopted by a voice vote****--Motion to report the bill, as amended: Adopted by a voice vote**

Sponsor	Description	Results
Mr. Walker	Amendment to strike and insert	Adopted by voice vote

AMENDMENT TO H.R. 1851

OFFERED BY MR. WALKER

Page 3, lines 14 and 20, strike "Director" and insert in lieu thereof "Administrator".

